

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JESSICA ADAMS,

Plaintiff,

vs.

No. CV 18-925 KG/GBW

C3 PIPELINE CONSTRUCTION, INC.,

Defendant.

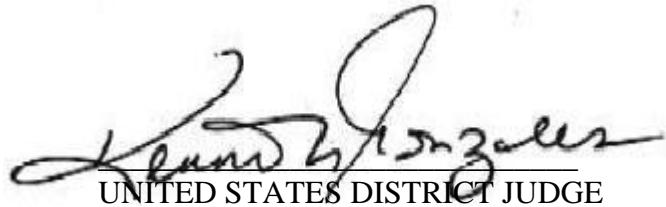
MODIFIED ENTRY OF DEFAULT JUDGMENT AS TO LIABILITY

In accordance with the Court's Order adopting the Magistrate Judge's Proposed Findings and Recommended Disposition ("PFRD") (Doc. 64), the Court hereby ENTERS this modified default judgment as to liability.

On July 22, 2019, the Court granted Plaintiff's Motion for Entry of Default Judgment and Request for a Hearing for the Assessment of Damages Pursuant to Fed. R. Civ. P. 55 (Doc. 21). *See* Doc. 23. The Court entered default judgment in favor of Plaintiff Jessica Adams and against Defendant C3 Pipeline Construction, Inc., on all issues of liability. *Id.* As explained in the Magistrate Judge's PFRD, however, Plaintiff voluntarily dropped several claims and theories of liability prior to the jury hearing on damages, and the jury was not instructed on those claims or theories of liability. *See* Doc. 64 at 6–9. The Magistrate Judge therefore recommended modification of the Default Judgment as to Liability (Doc. 23) to exclude these claims and theories of liability. The Court adopted the Magistrate Judge's recommendation in the Order entered concurrently herewith.

IT IS THEREFORE ORDERED that the Court's Default Judgment as to Liability (Doc. 23) is **MODIFIED** as follows: Default judgment is entered in favor of Plaintiff and against Defendant C3 Pipeline Construction, Inc., on all issues of liability *except*:

- (i) Plaintiff's claims of slander and libel per se, which are DISMISSED;
- (ii) Plaintiff's theory of supervisory liability based on the actions of Mike Carrithers and Danny Robertson; and
- (iii) Plaintiff's theory of liability based on Defendant C3 Pipeline Construction, Inc.'s ratification of its employees' misconduct.



UNITED STATES DISTRICT JUDGE